

EPA-1300

"jeff parker"

08/12/2010 08:05 PM

To "jeff parker", "Casey, Dave C POA", Patricia McGrath, Mark Jen, Cara Steiner-Riley, Katherine.A.McCafferty2, Robert.L.Stolzman, Tami Fordham, tildenthomas, dorothy tmeacham

cc

Subject RE: agenda

I understand from Tami that EPA's server is removing the attachment.

Here it is in email text:

Meeting with COE, EPA re Tribes as Cooperating Agencies on potential EIS on Pebble Mine

Friday, August 13, 2010, 1:30 PM to 3:00 PM
GSA Conference Room 154, Federal Building. (in or accessible from 1st Floor Atrium.)

An email seemed to indicate Ms. Steiner-Riley will need to tele-conference in.

Tentative Agenda per emails as of 10/12/10:

1. Introductions
- 1.1 Changes/additions to agenda.
2. Explanation of the Corps Regulatory Program (10 minutes)
3. Explanation of EPA's Authorities (10 minutes)
4. Discussion of issues raised, implied, or relevant to May 2010 Letter, to Corps and EPA, by Counsel to the Six Tribes.
 - 4.1. NEPA and Cooperating Agency Status
 - 4.1.1. Timing of COE requests to potential cooperating agencies. Regulations favor as early as possible, before scoping. Does it help if the COE uses informational fora to create "informal" requests before formal requests are triggered by applications, so that Tribes have more time to consider their potential role. EPA seems to favor this approach by using informational meetings to allow Tribes more time to consider.
 - 4.1.2. What are the potential EIS-related issues that COE/EPA/Tribal/other agencies might identify about which Tribes might help agencies and the public?
 - 4.1.2.1. These questions from the six tribes may set context for identifying issues.
 - (a) What is the tribal staff commitment?
 - (b) What are the tasks Tribes would perform?
 - (c) What is the financial commitment of tribes and are grant funds available?
 - (d) What is the time frame(s) for performing the tasks?
 - 4.1.2.2. The Tribes have suggested subsistence-related issues, such as
 - (a) identification and comments on subsistence use-areas,
 - (b) traditional ecological knowledge,

(c) species involved, and irreplaceability of particular resources,

(d) levels of existing competition, etc., and
(e) comparison of subsistence behavior and competition, on state vs. federal land, because both are in the area and the land is under respective state and federal subsistence regimes.

4.1.2.3. Make certain we hear COE/EPA thoughts, so that counsel can convey to Tribes.

4.1.3. Are there field activities about which Tribes might help? This has cost implications. Some of the tribal members have been participating in water quality work, of which I have no detailed knowledge, but which I believe is funded by BIA or EPA. I believe that the focus has been on the Kaktuli.

4.1.4. What sort of funding sources exist for work done by Tribes where the work product may be of assistance to a NEPA process? I understand that the COE does not have grant programs, that EPA, DOI and BIA have grant-making programs, but I not informed about the scope of such programs. What sort of programs are available at EPA? If there are available programs at DOI and BIA, is it appropriate for COE or EPA to work with the Tribes in securing such governmental funds, or non-governmental funds? COE and EPA may have other suggestions along those lines.

4.2. Joint-Lead Agencies

4.3. Closing Note: Counsel for the six Tribes are available to you to offer thoughts on matters that the Tribes have raised, but which may not be clear at first blush. An example is interplay of the 2005 BBAP and NEPA that arises under NEPA regulations.